

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

Dana Albrecht,

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Plaintiff,

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v.

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Civil No. 1:23-CV-00381-JL-TSM

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Kathleen Sternenberg, *et al.*

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Defendants.

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DEFENDANT JULIE A. INTROCASO'S MOTION TO DISMISS

Defendant Julie A. Introcaso, by and through counsel, the NH Office of the Attorney General, files this Motion to Dismiss, stating as follows:

1. Plaintiff filed this Complaint on August 4, 2023, alleging violations of his procedural and substantive due process rights under the United States Constitution against six defendants, in forty counts (four of which are alleged against Defendant Julie Introcaso). Plaintiff sues Ms. Introcaso in her official capacity a former judge in the New Hampshire Circuit Court, Family Division. Compl. at 1. Plaintiff seeks declaratory relief only. Compl. at 31-32.

2. Plaintiff's claims against Ms. Introcaso fail because: 1) Plaintiff's claims for declaratory relief are barred by the Eleventh Amendment; 2) Ms. Introcaso is entitled to judicial immunity; and 3) to the extent that Plaintiff is seeking to appeal certain orders in his state proceeding, such a request violates the *Rooker-Feldman* doctrine.

3. Ms. Introcaso refers this Court to her Memorandum of Law, filed contemporaneously, as support for her Motion.

WHEREFORE, the Defendant Julie Introcaso respectfully requests that this Honorable Court:

- A. Grant this Motion to Dismiss for the reasons set forth in the accompanying Memorandum of Law;
- B. Dismiss all claims; and
- C. Grant any further relief that justice may require.

Respectfully submitted,

Julie A. Introcaso

By her attorney,

THE OFFICE OF THE ATTORNEY GENERAL

Dated: November 6, 2023

/s/ Catherine A. Denny

Catherine A. Denny, Bar #275344
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent by ECF on November 6, 2023 to the parties and/or counsel of record.

/s/ Catherine A. Denny

Catherine A. Denny